

WHITE PAPER EXECUTIVE SUMMARY

Infill Housing Task Force

Planning Services Department

DRAFT

Introduction

Communities across the country are increasingly recognizing that the spread out patterns of growth, which have shaped American communities for the past several decades, are difficult to sustain. Many communities are implementing programs designed to address inefficient patterns of low density residential growth. A renewed emphasis on infill development can help address the problems associated with this form of development. Infill refers to new development on vacant, bypassed, and underutilized land within built up areas of existing communities, where infrastructure is already in place.

The City of Spokane Comprehensive Plan, adopted in 2001, supports residential infill development. The Comprehensive Plan was followed by the adoption of the Residential Land Use Standards of the Unified Development Code in 2006. In December of 2008 a representative task force of interested individuals and organizations was formed to look at our existing standards to determine the type of changes that should be made to encourage infill development.

There are multiple barriers that lie in the path of infill projects, which make infill difficult, uncertain and expensive. In the face of these barriers, many developers avoid infill projects in favor of development that contributes to low density residential growth. These barriers include land constraints, infrastructure, regulatory process and requirements, community opposition, financing and marketability.

The publication “Filling in the Spaces: Ten Essentials for Successful Urban Infill Housing” by The Housing Partnership (November 2003) provides local governments and members of the building industry with a framework for encouraging change and the cooperative environment that must advance for that change to happen. The ten essentials are: build public understanding and acceptance of GMA obligations, make innovation a positive outcome for current residents, make innovative housing the preferred choice for builders, make infill housing a profitable business, help new housing fit well into old neighborhoods, identify market demand and plan to meet it, design sites for livability and functionality, put aside the old stock plans and start over, write new development codes that promote good site and home design, and develop processes that promote rather than penalize innovation and infill.

According the Spokane Association of REALTORS® Multiple Listing Service (MLS), in 2009 residential sales of single family homes on less than one acre totaled 4,664, down 5% from 2008 sales. 2,535 of those homes were sold in the City of Spokane. The average selling price in Spokane County in 2009 was \$187,585 down 9.1% from 2008 while the median price was \$169,000 down 8.2% for the year. In the City of Spokane the average sales price in 2009 was \$167,966 and the median was \$145,500. The decrease in median and average sales prices appears to be an indicator of the types of homes that are being sold; smaller, more affordable units.

In 2009 the population in Spokane County was 465,000 people with a growth rate of 1.3% over 2008, according the Eastern Washington University’s Community Indicators. Also, according to the report, “Since 1981 (Spokane County) has gained 118,185 people, with most of the gains occurring in the 1990’s. Its annual rate of growth has ranged from a negative 0.5% to a high of 3.2% (1991). Since 2001, Spokane County growth rates have fluctuated around 1%. For the entire period, Washington growth rates have rested above Spokane’s although the gap has narrowed in recent years.” This means that, in general, our community is growing and will need an adequate housing supply to accommodate that growth.

The Comprehensive Plan defines “Infill Development” as “Development of vacant lots and parcels within an already built up area.” By itself, this definition appears to limit infill development in a way that is narrower than it is actually limited according to adopted city policy. For example, the goals and policies of the Comprehensive

Plan encourage infill on vacant land city-wide and in the urban growth area outside the city limits. In addition, the city zoning code allows residential use in most zoning categories. The zoning code is the regulatory tool that identifies where and how infill development is permitted.

Topics Considered by the Infill Housing Task Force

The Infill Housing Task Force identified the following list of topics that should be addressed by the task force:

- **Zoning/Land Use Changes.** Development regulations (zoning code and zoning map) contained within the Spokane Municipal Code are required to be consistent with the Comprehensive Plan and the Land Use Plan Map. It is also important to note that there is a need for early and continuous public process whenever changes are proposed to the Comprehensive Plan, Spokane Municipal Code and the zoning map. The discussion of the Infill Housing Task Force focused on the necessary adjustments to the Spokane Municipal Code to improve the standards for infill housing. It is not a role of the Infill Housing Task Force to propose changes to the Land Use Plan Map of the Comprehensive Plan and the official zoning map. Such changes require following the Comprehensive Plan amendment process.
- **Townhouse (Attached Housing) Regulations.** The task force has recommended changes to the standards for attached housing. Some of the issues that have been addressed include proposed adjustments to the minimum lot width, lot size and other standards as shown in the draft amendments to SMC 17C.110 for Infill Housing, the draft Pocket Residential Development code, and the draft PUD code amendments.
- **Zero Lot Line.** Section 17C.110.340 of the Spokane Municipal Code allows “Zero Lot Line” development in the RSF, RTF, RMF and RHD zones. The proposed changes to the attached housing standards are also beneficial to the development of zero lot line development.
- **Fee Simple for townhouse development.** The Infill Housing Task Force has proposed adjustments to the zoning code to support fee simple ownership of townhouse style projects. Proposed code changes are intended to allow higher density smaller lot development with fee simple ownership in the residential zones at densities that are supported by the Comprehensive Plan.
- **Follow Through with Centers and Corridors.** A task force was formed in 2009 to work on this topic. Work of the Infill Housing Task Force addressed proposed amendments to the Spokane Municipal Code in the city’s residential zoning categories. These include the higher density residential zones that are typically located adjacent to areas designed as Center and Corridor Core on the Land Use Plan Map of the Comprehensive Plan. Such adjustments are intended to help facilitate higher density smaller lot development with fee simple ownership.
- **Involve Neighborhood Planning to Provide an Avenue for Land Use and Zoning Changes.** The neighborhood planning process may be used to adopt changes to the Land Use Plan Map of the Comprehensive Plan and zoning map. As discussed above, the Infill Housing Task Force did not take on the role of designating new areas for infill development. This should be completed through an appropriate Comprehensive Plan amendment process.
- **Densities.** Comments have been made regarding the minimum and maximum density requirements of the Comprehensive Plan and the Spokane Municipal Code. However, the task force is not proposing changes to the density ranges that are found in the Comprehensive Plan and regulated as a part of the zoning code.

- **Review of Lot Size Transition Requirement.** Comments have been made stating the opinion that the lot size transition requirement is too restrictive. Also, it has been suggested that there be two low density residential zones in the Residential 4-10 land use plan map designation. The task force discussed the lot size transition standards and determined that they provide a reasonable tool that improves the compatibility of new smaller lot subdivisions in areas where the existing development pattern consists of larger sized lots.
- **Education.** The Infill Task Force discussed the need to provide information to citizens, boards and commissions and elected officials regarding the needs for and benefits of infill housing. This is discussed in more detail in the “Essentials” publication referenced above.
- **Possible Infill Overlay (around C&C and downtown core).** The idea for an infill overlay zone was discussed by the task force. Any overlay zone would need to be consistent with the density provisions of the Land Use Plan Map of the Comprehensive Plan and would require amendments to zoning code as well as a subarea planning effort. The approach of the task was to propose changes to the zoning code to improve the existing residential zoning categories. The existing zoning categories that surround downtown Spokane already provide significant opportunity for higher density infill development. In most cases, there are no density limitations for residential uses in these zoning districts.
- **Mid-Range Zoning (around C&C).** Amendments to the Land Use Plan Map of the Comprehensive Plan and a public process are required as a part of the rezoning process. There has been a significant amount of rezoning in and around centers and corridors including higher density residential zoning as well as expansion of mixed-use zoning.
- **Variety of Infill Projects, not Just Townhouses.** The zoning code allows a wide variety of infill development. These code provisions promote housing diversity, affordable housing options, and encourage the efficient use of available land.
- **Incentives.** The range of economic incentives the city has to offer is very limited. The multifamily tax exemption program is one of the incentives that is currently being used in many areas of the city.
- **Design Standards.** In the residential zoning categories, the zoning code applies design standards to multifamily development involving three or more units. There is also design standards required for cottage housing development. Design review is completed through the building permit process and does not require consideration by the Design Review Board. New design standards are proposed for attached housing that will improve its compatibility with existing neighborhoods as infill projects are developed.
- **Support Transit Oriented Corridors.** The comprehensive plan recognizes that centers and corridors are the most appropriate venue for the location of commercial and higher density residential uses. A basic theme of the comprehensive plan is directing higher density residential, office, and retail uses to centers and corridors designated on the land use plan map.
- **Neighborhood Compatibility.** The task force has discussed other potential design standards for townhouses and duplexes. These design standards are a part of the proposed code revisions.
- **Construction Quality.** The design standards do not extend to the point of specifying actual construction materials. However, they do contain requirements that a project address important building features so that they are a better fit in existing residential neighborhoods.

- **Encourage Sustainable Solutions.**

The city “Sustainability Action Plan: Addressing Climate Mitigation, Climate Adaptation, And Energy Security” was developed by the Mayor’s Task Force on Sustainability and was adopted in March 2009. Strategy 4.1.4 states: “Enable optimal land use Land use choices affect energy consumption, carbon sequestration and overall community resilience. The manner in which land is used significantly drives how, how far and how often people and goods must travel. Land use determines how well natural processes that clean the air and water can function, and how much local production of food and other goods is possible.”

- **Administrative design review:** The zoning code requires administrative design review as a part of multifamily projects in multifamily residential zones subject to the design standards. All of the design standards for the residential zones are considered as a part of the building permit review process and do not require any process involving meetings or hearings before the Design Review Board.
- **Streamline the entitlement process:** It is a goal of the Infill Task Force to use appropriate tools to streamline the permitting process and accomplish infill in a way that is appropriate in various neighborhood settings. Policy directives of the Comprehensive Plan also encourage improved design of higher intensity development to reduce negative impacts on city neighborhoods.

Specific Comments Regarding Needed Zoning Code Changes

Provided below are some specific comments the Infill Housing Task Force received regarding needed changes to the zoning code to address infill housing. Planning Services Department staff has provided brief commentary in response to the comments.

Summary of Required Code Changes

Planning Services Department Commentary in shaded *italics*.

SMC Site Standards for residential and commercial use development are fundamentally based upon a suburban development model and does not permit the typical development parameters required for urban infill development.

Planning Services Department Commentary: Between 2002 and 2006, the Spokane Municipal Code was updated with new zoning standards. The standards had not been significantly updated since 1958. As a part of the update, considerable changes were made including removal of many of the “suburban” standards that were included in the former zoning code.

While updating the zoning standards, the city worked with nationally recognized urban planning and design professionals. The new code standards are in line with the standards of other urban places including Portland and Seattle.

The recommendations of the Infill Housing Task force are intended to update the residential zoning standards in light of a changing housing market. The recommendations propose improvements to the

standards that will encourage smaller lot development that is consistent with the density allowed by the comprehensive plan.

1. SMC Site Standards make innovative housing forms such as cluster housing, townhome development, and cottage homes virtually impossible in any zone classification (even RMF and RHD):

Minimum lot size: 2500 SF
Minimum lot width: 25 feet
Maximum Site Coverage: 50%
Minimum Front Yard Setback: 15 feet
Required Street Frontage: 25 feet

Recommendation: Allow Innovative Residential Development under the proposed standards.

Planning Services Department Commentary: *All of these housing types are addressed in the zoning code. Cluster housing is allowed in a PUD. Townhome development is allowed outright or in a PUD. Cottage housing is allowed in the RSF zone with the approval of a Type II permit (administrative review with public notice). With specific reference to the standards listed, the Infill Housing Task Force has made the following recommendations:*

RMF zone, attached houses, a.k.a. townhome development on small lots

*Minimum Lot Size: 1600 SF (existing code: 2500 SF)
Minimum lot width: 16 feet, with alley access (existing code: 25 feet)
Maximum Site Coverage: 50% (existing code: 50 %)
Minimum Front Yard Setback: 15 feet (existing code: 15 feet)
Minimum Front Lot Line: 16 feet, with alley access (existing code: 25 feet)*

RHD zone, attached houses, a.k.a. townhome development on small lots

*Minimum Lot Size: 1600 SF (existing code: 2500 SF)
Minimum Lot Width: 16 feet, with alley access (existing code: 25 feet)
Maximum Site Coverage: 50% (existing code: 50 %)
Minimum Front Yard Setback: 15 feet (existing code: 15 feet)
Minimum Front Lot Line: 16 feet, with alley access (existing code: 25 feet)*

2. SMC Site Standards make small lot and cottage home development virtually impossible in single family zones:

Minimum lot size: 4350 SF
Minimum lot width: 40 feet
Maximum site coverage: 40%
Minimum Front yard Setback: 15 feet
Required Street Frontage: 40 feet

Recommendation: Allow Innovative Residential Development in the RSF and RTF zone classifications under the proposed standards.

Planning Services Department Commentary: *Prior to 2006, the minimum lot size allowed in the city's single family residential zone was 7,200 square feet. The current zoning code allows lots as small as 4,350 square feet. All of the mentioned housing types are addressed in the zoning code. Cluster housing is allowed in a PUD. Townhome development is allowed outright or in a PUD. Cottage housing is allowed in the RSF zone with the approval of a Type II permit (administrative review with public notice). The existing standards of the RSF zone are not proposed to change as a part of the recommendations of the task force. The Infill Housing Task Force has recommended that the existing RSF zone remain unchanged and that there be created a new RSF-C (Residential Single Family – Compact).*

Existing RSF zone, attached and detached houses (unchanged)

Minimum Lot Size: 4350 SF

Minimum Lot Width: 40 feet

Maximum Site Coverage: 1500 SF + 37.5% for portion of lot over 3000 SF

Minimum Front Yard Setback: 15 feet

Minimum Front Lot Line: 40 feet

Proposed new RSF-C zone, attached and detached houses

Minimum Lot Size: 3000 SF (subject to maximum density of 10 units per acre)

Minimum Lot Width: 36 feet

Maximum Site Coverage: 1500 SF + 37.5% for portion of lot over 3000 SF

Minimum Front Yard Setback: 15 feet

Minimum Front Lot Line: 30 feet

3. PUD Ordinance is very difficult and cumbersome to use for small infill projects and the application so restrictive that use of the PUD has been nil:

- Cannot waive street frontage requirement
- Cannot waive street setback requirement
- Lots size and width standards limit product options
- Cannot waive transition requirement
- Open space requirements cumbersome for small infill projects
- Does not allow “commercial” PUD

Recommendation: Modify the PUD ordinance per the proposed standards.

Planning Services Department Commentary: *The Infill Housing Task Force is reviewing the existing PUD standards of the Spokane Municipal Code. Specific responses to comments are provided below:*

Comment: “Cannot waive street frontage requirement”

Response: *The existing PUD code allows the lot frontage requirements to be modified to allow a lot to be served by a private street, rather than a public street provided that the director of engineering services has determined that private streets can serve the lots in the planned unit development.*

Comment: "Cannot waive street setback requirement"

Response: *The existing PUD code allows the front and rear yard setbacks to be modified, except that a minimum front or rear yard setback of twenty feet is required for any garage or carport that opens facing a street or an alley.*

Comment: "Lots size and width standards limit product options"

Response: *The existing PUD code allows the minimum lot depth and lot width standards to be modified, except that no lot shall be less than fifty feet deep or less than eighteen feet wide.*

Comment: "Cannot waive transition requirement"

Response: *The existing PUD code does not allow the lot size transition requirement to be waived.*

Comment: "Open space requirements cumbersome for small infill projects"

Response: *The existing PUD code requires at least ten percent of the gross area of the site to be devoted to open space. Such space must be fully accessible to the residents, employees, visitors, and/or other users of the site. Reduction of this standard in PUDs is prohibited and a variance cannot be sought to reduce this requirement.*

Comment: "Does not allow "commercial" PUD"

Response: *The existing PUD code does not allow PUDs in commercial zones. An alternative method of property subdivision called a binding site plan is usually used in commercial zones for commercial uses. Commercial zones allow business uses and all types of residential uses.*

4. Lot size "transition" rules are unnecessary and severely impact development options and potential on urban infill site.

Kendall Yards development along Bridge demonstrates that lot size transition is of no value.

Recommendation: Delete from the Municipal Code the lot size transition.

Planning Services Department Commentary: *The Infill Housing Task Force discussed the lot size transition standards and determined that they provide a reasonable tool that improves the compatibility of new smaller lot subdivisions in areas where the existing development pattern consists of larger sized lots. For sites two acres or greater, transition lot sizes are required to be included as a buffer between existing platted land and new subdivisions. The purpose is to transition lot sizes between the proposed and existing residential developments in order to facilitate compatible development and a consistent development pattern. Lots proposed within the initial eighty feet of the subject property are required to transition lot sizes based on average lot sizes of existing subdivisions (See SMC 17C.110.200.C.). Lot size in the transition area may be no smaller than 7200 SF. Once the transition is established, the lots may be as small as 4,350 square feet in the RSF zone.*

The lot size transition standards do not apply to the Kendall Yards development because the site is in a RMF zone. The lot size transition standards apply only to the RA and RSF zones.

5. “Alternative Residential Development” is permitted but no use type or standards are ever specified.

Alternative development types must be described and standards established or they will never be used.

Recommendation: Adoption of proposed Innovative residential Development standards.

Planning Services Department Commentary: *The residential zones allow the following types of “innovative residential development”:*

Section 17C.110.310 Attached Housing

Section 17G.070 Planned Unit Developments

Section 17C.110.330 Transitional Sites

Section 17C.110.340 Zero Lot Line

Section 17C.110.350 Cottage Housing

6. Some necessary residential standards are not addressed anywhere in the municipal code.

- a. Standards for Recessed /prominent garage standards should be established.
- b. standards should require the use of alley where available
- c. Reduced front yard setback for homes with alley access should be provided

Planning Services Department Commentary: *The Infill Housing Task Force has discussed these topics and suggested code revisions are proposed.*

7. Standards for small neighborhood commercial uses must be designed to encourage redevelopment of these building and sites. They are significant contributors to neighborhood blight and are essential to the development of vital urban neighborhoods.

Site standards to restrictive

Parking unnecessary for small retail/commercial uses

“Change of Use” provisions must be eliminated

Recommendation: Eliminate parking requirements for small commercial developments (under 3,000 sf) in urban neighborhoods. Review code standards to encourage and allow small neighborhood commercial development.

Planning Services Department Commentary: *The Infill Housing Task Force has focused on the standards of the Spokane Municipal Code for residential uses. For commercial uses, the parking standards of the Spokane Municipal Code are comparable to other cities in the USA including Seattle, Portland, Boise and Tacoma. Nonconforming uses are only required to provide additional off-street parking if an increase in the floor area, by addition or alteration, requires more than five spaces.*